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July 20, 2016

VIA ELECTRONIC CASE FILING

Hon. Marvin J. Garbis
Senior U.S. District Judge
U.S. Courthouse – Chambers 5C
101 W. Lombard Street
Baltimore, MD 21201

Re: *United States v. Republic National Distributing Company, LLC et al.*
Case No. 16-cr-00258-MJG

Dear Judge Garbis:

We are writing in response to the Court's July 15, 2016 Letter Order seeking clarification regarding the unsealing of documents in RDB-12-2472 (the "Rule 41(g) Proceeding"). In response to the Court's inquiry with respect to the purpose of unsealing that record, Republic intends to rely extensively on materials from the Rule 41(g) Proceeding in its motion to dismiss. That motion is due on August 1, 2016 and a hearing has been scheduled for September 9, 2016.

All parties have agreed to the unsealing of the record of the Rule 41(g) proceeding. The government's sole objection is to the extent of redactions to the Affidavit in Support of Seizure Warrants dated June 5, 2012 (the "Affidavit") describing the conduct of a second company. Republic has proposed to redact the identity of the second company under investigation. The government has proposed more extensive redactions of all factual allegations involving the second company. This limited disagreement does not preclude the Court from unsealing the record of the Rule 41(g) Proceeding by consent of the parties.

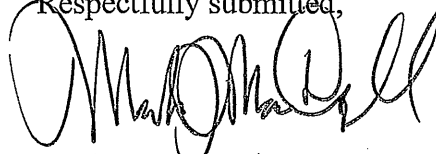
In order to avoid additional sealed motions and hearings, Republic respectfully requests that the Court unseal the record of the Rule 41(g) Proceeding while retaining under seal only the limited portions of the Affidavit to which the government objects (involving the second company) pending further order of the Court. In its briefing, Republic would propose to redact from its public filings any references to those sections of the Affidavit (relating to the second company) to which the government objects. Republic would, at the same time, file unmarked copies under seal with the Court while reserving its right to move the Court to unseal the redacted text at a later date.

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Counsel for Republic is available for a telephone conference, at the Court's discretion, but does not believe that a call regarding this subject is needed at this time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. MacDougall", written over the typed name.

Mark J. MacDougall
W. Randolph Teslik
Catherine E. Creely
Connor Mullin

cc: Richard C. Kay, Assistant U.S. Attorney
Tamera L. Fine, Assistant U.S. Attorney